

Agenda Item 3

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PLANNING APPLICATIONS COMMITTEE

17 MARCH 2022

(7.15 pm - 11.00 pm)

PRESENT Councillors Councillor Dave Ward (in the Chair),
Councillor Stephen Crowe, Councillor Stephen Alambritis,
Councillor Billy Christie, Councillor Nick Draper,
Councillor Joan Henry and Councillor Peter Southgate Councillor
Najeeb Latif and Councillor Ben Butler

ALSO PRESENT Tim Bryson (Development Control Team Leader North)
Stuart Adams (Development Control Team Leader South) Amy
Dumitrescu (Democracy Services Manager) Bola Roberts
(Democratic Services Officer)

**ATTENDING
REMOTELY** Lesley Barakchizadeh (Interim Building and Development
Control Manager)
Tim Lipscomb (Planning Officer)
Sarah Attanayake (Transport Planning Project Officer)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillors Dean and Quilliam.
Councillors Latif and Butler attended as Substitutes. Apologies were also received
from Councillor McGrath and apologies for lateness were received from Councillor
Henry.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 10th of February are agreed as
an accurate record.

4 TOWN PLANNING APPLICATIONS (Agenda Item 4)

The Committee noted the amendments and modifications to the officer's report. The Chair advised that items would be taken in the following order items 7, 9, 5, 6,10 and 8. For the purposes of the minutes the items are minuted in the published agenda order.

5 26 HAREWOOD ROAD LONDON, SW19 2HD (Agenda Item 5)

The Planning Officer presented the report

The Committee received verbal representations from two objectors who made points including:

- That the first application had been rejected for failing to meet minimum standards for bedrooms; the present application only provided a corridor for access and there would not be an improvement in the living area
- There are no applications like the one proposed and separating the existing garden into 3 separate areas would set an undesirable precedent and is out of character with the surrounding area
- The flat ceiling in the living area fell below the minimum height of 2.3 meters and the national requirement set out for space
- The Objector felt that the proposed site would be used effectively for 2 flats, one 3 bedroom and a 2 bedroom. This would allow occupation of a family which would prevent the need to separate the garden
- The Objector had raised concerns to the Councils Planning Department that the border between his house and the site was incorrect and the application should not be approved
- The access to the bin storage would be significantly decreased
- the developers did not add in a third flat, the objector requested that a condition should be put in to prevent the sale of the property if converted and rented as a 2-bedroom flat in future
- The objector stated that residents were concerned that the development was based on financial gain, whilst limiting the living space
- The Objector raised concerns regarding the sewer, which would be burdened with the proposed development, stating that the company Dyno-rod had been called out 4 times in the last 12 months due to blockages

The Applicant made points in response including:

- The Applicant had worked with Planning Officers on this site to mitigate concerns raised in the original application
- The property would be reinstated to proper use to 3 units as this was previously empty, the unit would meet Merton's building target
- The Agent reported that height and mass elevation noted by Planning Officers was conservative and fitted in with permitted development
- The rear extension was minimal in relation to what existed already
- Space requirements were met in accordance with the Planning Policy

Councillor Attawar read a statement on behalf of the residents in Harewood Road against the planning application. Councillor Attawar stated:

- Residents had raised concerns on size, mass and height.
- If the dwelling was converted into 2 flats, then it would be adequate.
- Having family homes is more desirable in Merton.
- There were several inconsistencies especially in relation to bin storage.
- The Committee should consider that it fulfils the policy of creating good housing for Merton's residents and not targets.
- The Developer should reconsider the design

The Planning Officer responded to points raised:

- The Planning Officer confirmed that the site is making use of optimum space and met minimum space requirements
- Each flat would have access to gardens which is uncommon in this kind of development and would not be harmful to the area
- The Plans were as set out in the modifications sheet. If The Committee were to approve planning permission, then the developers could be asked to revisit the plans

In response to questions from members, the Planning Officer advised:

- Existing head height would be maintained
- The removal of chimneys would not need planning permission and would be covered under building control regulations
- The developer would need to seek the neighbour's permission to carry out the works relating to the removal of a chimney
- If the plans were not accurate it would affect the building style and if members approved the application, developers would be asked to revisit the plans and designs.

The Chair moved to the vote and it was

RESOLVED

That the application be granted subject to conditions and completion of a Section 106 legal agreement.

6 16-20 MORDEN ROAD, SOUTH WIMBLEDON, SW19 3BN (Agenda Item 6)

The Planning Officer presented the report.

The Committee received a verbal representation from one objector who made points including:

- A similar application had been refused two years ago and this had been brought back with an additional 25 flats and more single aspect dwellings

- There was no separation between residential and commercial waste and services
- The scheme offered no affordable housing
- Changes are limited to the ground floor and the previous grounds for rejection were still relevant to this application where similarities remained.
- The application did not comply with the London plan
- The application could not provide comfortable living for future residents with its current plans
- The Objector raised concerns on the application not providing light ventilation in all habitable rooms and kitchens
- The Objector found the application wanting in provision of contextual design narrative
- The Objector urged the Committee to reject the application especially as the sites sits on traffic thoroughfare

A statement was read on behalf of Councillor Benbow. Councillor Benbow stated that the application was in poor design and did not provide affordable housing. The architectural concept is of poor design and the height would cause overlooking and loss of light to the neighbouring residents. Pollution of noise traffic would be distressing to residents. There was no mention of air quality and the developer had failed to contact the local Police to discuss secure by design.

The Planning Officer responded and made comments including:

- That this application differed to the previous application significantly
- The Urban Design Officer had raised no significant concerns on the application and the comments were noted by the developer
- The application allowed for signage for commercial units
- Units on the ground floor are single aspect as residential units are at the rear and the single units are facing East or West
- The bin storage area is large for the size of the development and developers can sub-divide the space or manage the refuse collection from one spot
- The comments from the Planning Inspectorate related to the ground floor, which is set aside for commercial use and not residential
- Conditions can be placed in relation to mechanical ventilation
- The Planning Officer confirmed the need for 40% housing and 35 fast tracked which is subject to a financial viability assessment
- The point raised for loss of light was not a concern for refusal from the previous application and bulk and mass are the same as the previous application
- The request for secure for design has been noted and a condition placed for details like air locked doors

Members raised questions on affordable housing on the site. The development is close to the streets and amenities and flats can be easily sold, so would be able to achieve viability to accommodate affordable houses.

The Planning Officer responded to further questions from members:

- The Planning Officer advised the Committee that the costings are available to view on the Council's website. There was a contrast between the applicants and the council's viability report as they had different views in concluding the viability report. The Schemes viability report showed a deficiency of £3 million whilst the Council's viability report showed a deficiency of £500,000
- The report is still not viable. The policy is subject to a get out clause and the applicant has provided a viability report, which was subject to scrutiny by an independent assessor who ruled the scheme not viable
- The Planning Inspectorate decision was a planning consideration and cannot be overlooked, it was noted that the single aspect scheme was acceptable but noted the East and North facing windows. The current application has taken into consideration concerns raised and conditions placed. Planning Officers considered that the application has overcome the concerns.

The proposal to refuse was proposed and seconded and put to the vote. The vote fell and The Chair moved to the officer's recommendation to grant permission

The Chair moved to the vote, it was

RESOLVED

That planning permission was granted subject to conditions and section 106 agreement.

7 RUFUS BUSINESS CENTRE, RAVENSBURY TERRACE, WIMBLEDON PARK, LONDON, SW18 4RL (Agenda Item 7)

The Development Control Leader (North) presented the report.

The Committee received a verbal representation from one objector who made points including:

- The independent assessors/ financial viability report had only been made available to the public 36 hours prior to the meeting
- The report contained estimated costs which were high and missing vital information which the community objected to such as the height, bulk and no road link to Wellington works
- The application should not be approved without an independent assessor verifying the abnormal cost and sharing this information with the public
- The objector spoke on the illegal use of asbestos on Rufus as this was a separate site to that of Hazelmere. The contamination risk was low, yet inflated costs were given
- The developer had not confirmed what radiological remediation occurred in Hazelmere

- The objector suggested to the Committee that there be an undertaking of survey or measurement works carried out on the site for a minimal cost and that the remediation work cost should be made known to members of the public
- The objector suggested that to reach full potential and maximise development work in the area, the developers should develop Rufus and the adjacent site.
- Providing vehicle access through Rufus to Wellington Works would achieve maximised development by providing safe access
- The developers design access statement confirmed providing vehicular access was achievable but would cost a considerable amount, the objector stated this could be mitigated by savings from construction and remediation
- The objector had obtained over 350 signatures for a petition for the road link; this would be beneficial for Merton Council in terms of development and residents in terms of road safety and children of Merton Park Primary, by taking operational and construction vehicles out
- The developer produced an analysis road link, which the objector said was flawed and that the developer did not look at other options
- The objector said that the proposal should be rejected and redesigned for vehicle access safety the agenda notes states this
- The scale and mass of the development was not in keeping with the area and the Merton urban Design Officer had stated that form and masses do not relate well to adjacent development to the North
- The Urban Greening, fell below the GLA threshold
- The objector stated that height should be reduced, and green spaces increased in consideration for amenities.

The Agent to the Applicant responded and made points including:

- In relation to matters raised at the previous Committee meeting, clarification was sought for identified radiation contamination one was for the incandescent mantel and radio works addressed in 7.5 22 of the Officers reports identified contamination levels to Rufus site to the Northeast
- The Agent to the applicant was confident of doing remediation works to standard, as his team undertook remediation work on the adjacent site to Rufus so have acquired the knowledge
- In terms of cost the Agent to the applicant stated that the costings had been directed to officers and the costs analysis have now been independently assessed by professional advisors to circa £1.8 million pounds and the cost of works on the adjacent site Hazelmere costs is £3.99 million
- The high cost of the remediation is reflected in the cost of affordable housing this currently dictates the amount of affordable houses in the development. However, the numbers of affordable homes will be reviewed later as the development progresses. The Agent to the applicant hopes the Committee is reassured by the mechanism
- In addition, the affordable homes will have low rent and no shared ownership, the cost of the development is under £490,000
- Service charges will be kept to a minimum as zero carbon is reducing; details are highlighted in the report contained in the agenda pack

- The building will be close to blue badge parking, and this will include affordable parking to promote integration
- The building will be built to a high standard and there is no distinction between affordable and private homes hence eliminating segregation
- The Agent to the applicant confirmed that the development would have access for emergency services. This concern was raised by the Committee at the previous planning committee
- The development addresses the London Plan for 906 new homes. The site will provide energy sufficient short term tenanted homes
- Clean up cost of contaminated site will be revisited to establish how many more affordable homes could be included in the development

The Development Control Leader (North) responded to points raised and advised Members that

- The viability report had been assessed by an independent assessor, part of the process was to reduce cost and this was included in the report
- Affordable housing was attached to the same block as private residents
- The Officer advised the Committee that block D should remain as it is, and the housing provider will be in charge of the block, they delivered on the adjacent site
- Access to adjacent does not warrant vehicle access as this would result in loss of units and potential flood risks, what is proposed is future pedestrian and cycle access.

In response to Members questions The Development Control Leader (North) advised

In terms of services charges, this related to services within the building itself, such as lifts and hallways

In terms of contamination figures within the report the Planning Officer confirmed that this was present from the start, the new figures quoted was in relation to the adjacent (Hazelmere) site and not the current application as part of the late stage review that member received recently

The costings were subject to investigative work just within the application site

The Planning Officer confirmed that the design of block D was different and will have its own separate energy supply apart from the other block

The Planning Officer confirmed that investigative remediation work is standard and will always occur

The Planning Officer confirmed, that as part of the late-stage review, if there were a reduction in the cost, then there would be claw back of funds that would go towards affordable housing.

In response to further questions The Development Control Leader (North) explained that the benefit of dual ventilation as opposed to single aspect is cross ventilation and light.

Members made comments on the application. The development had potential to provide more affordable housing, which was in line with the London Plan. The viability appraisal was not known. It was proposed and seconded for the application to be brought back so that the developers could produce an application that was more forthcoming in viability and include more affordable flats. Members asked for more information on the contamination

The Development Control Leader (North) advised the Committee that

The true costs cannot be realised until development starts, as a result, the costings from a neighbouring site was submitted to help demonstrate costings for site remediation

There was nothing to bring back to the Committee if the application was deferred

Members made further comments on the application in relation to affordable housing and costings.

As a result of members comments the Chair stated that as it was the will of the Committee the vote would be to defer to a future meeting with reasons

The Chair moved to vote, and it was

RESOLVED:

That the Application be deferred to a future Committee Meeting, to allow members seek further information on financial viability, contamination and whether more affordable housing could be built.

8 225 STREATHAM ROAD, STREATHAM, LONDON SW16 6NZ (Agenda Item 8)

The Planning Officer presented the report

The Applicant spoke and made points in support of the application including:

- The applicant had cleaned up the site and removed asbestos and ensured travellers vacated the site
- The Applicant informed The Committee that the Council closed down the site without prior notice
- The Applicant put Planning permission for a car wash
- The Applicant stated that the Objectors opposing the Applicants site did not live in the vicinity and this was against the Law

A statement was read out on behalf of the Ward Councillor Linda Kirby who made points including:

- The site had two approved housing developments from 2017 and 2019
- The Applicant had left the site in a slum like state
- The Applicant had built a car wash business
- The Enforcement Officers had closed down the business as the site was not used for the purposes of the planning permission which had been granted
- The Applicant had put in a retrospective application to build houses, but this did not materialise
- The business had put in a retrospective order for planning permission and continued building during weekends which had disturbed the neighbours
- The area has two car wash businesses and another one is not needed
- The behaviour of the business has shown no regard for the residents

The Planning Officer for responded to points raised including:

- A temporary stop notice had been issued by the Enforcement Team and this was considered as a written notice
- The notice was for unauthorised use and the Planning Officer welcomed the Applicant's offer to meet with him

The Planning Officer for responded to questions from members:

- The site had double yellow lines around vehicle access and parking bays
- The proposal would cause traffic congestion for cars

Members commented on the application. Members commented were mindful of Officers recommendations but if the Application could attend a meeting to mediate on a matter of housing development, then the application could be deferred.

The Planning Officer responded to Member's comments and advised:

- The application had been submitted in January 2022
- The application transport statement did not relate to the application but a previous one submitted. There was no noise impact statement, so no clarity was given by the Applicant
- The applicant has indicated a request to meet but not confirmed to discuss this has not been put in writing. A temporary condition could be given
- The applicant needs to resolve the breach on the land for an invitation to put in a new application.
- If members believe there is scope for the application, then the application could be deferred.

The Chair moved to the vote and it was

RESOLVED

That the application was deferred to a future Planning Committee Meeting.

9 BENNETS COURTYARD, WATERMILL WAY, SW19 2RW (Agenda Item 9)

The Planning Officer presented the report

The Committee received a verbal representation from two objectors who made points including

- The Objector commented that the Committee take into consideration the importance of the comments of the conservation Officer for Merton. The Officer had advised that an additional floor proposed would not be an enhancement to the existing building, the objector said the comments were critical. The objector read from the officers' comments citing the councils' policies relating to the development. Policies NPPF, CS4 and CS14, DND 2 and 4 which advises on weight, enhancement, conservation and design in the Wandle Valley area
- The objector mentioned that the scheme proposed 15 flats none of which were affordable dwellings
- The Objector did not agree with the Planning Officers report to conserve and believed that the policy requirement is for enhancement
- The Objector pointed out that the Conservations Officers report was not at hand for the Committee to review at the last Planning application meeting. The report contained Conservation and heritage views
- The Objector urged the voting Committee to look at the significance of the Conservation report
- The Objector mentioned that heritage views took precedence over other considerations
- The Objector felt that the planning laws did not protect heritage and conservation
- The Objector said that the Conservations Officers found the development did not enhance but detracts
- The Objector advised the Committee that heritage laws required that the proposal be rejected and voted against approval of the application

The Agent for the applicant made comments including

- The report had gone through the scrutiny of lawyers on behalf of the applicant
- The Conservations report addressed the conservation area and the effect of the building on which the extension will go
- Paragraph 1.5 of the report quotes the statutory tests of the conservatory areas, which in section 72 requires that attention be paid to the desirability of preserving or enhancement, this fulfils statutory test requirements
- Planning Officers had concluded that there was a neutral effect in relation to the heritage asset and this met the statutory test
- Planning Officers had set out the right tests, the full views of the Conservation Officer were set out, Planning Officers concluded that no harm would be caused to the asset and had made recommendations
- The Agent to the Applicant informed the Committee that the report addressed reasons given for why it was quashed by agreement on ground 1, failure to include Conservation Officers recommendations

- The Agent to the Applicant reported that the site is in a growth area, which aims to develop new homes in future, making good use of land, which the proposal fulfils
- The Agent to the Applicant urged the Committee to revisit the last resolution made and reconsider. The Councils growth expectations can be delivered

In response to members questions raised the Planning Officer advised that

- The applicant would have to submit a viability report, in terms of affordable housing, this was assessed by the Councils independent assessor
- There are four single aspect units and the rest are dual aspect.

The Planning Officer clarified a point on the Conservation Officers report and to set out reasons why those steps were taken. That the Conversations Officers comments should be amalgamated with Planning Officers report, as opposed to being reported independently. This was the reason why the Conversations Officer report was not included. Going forward the report will now be included. The Planning Officer further went on to say that the single aspect unit follows on from the layout of the floors below.

Members continued with comments, noting that putting up another unit detracts and affects the view of surrounding buildings in the conservation area and the design did not enhance but detracted

The chair moved to the vote and it was

RESOLVED:

1. That the Planning Applications Committee REFUSED the application for the following reasons:
 - That the application detracted from the conservation area
2. DELEGATED to the Director of Environment & Regeneration the authority to make any appropriate amendments in the context of the above to the wording of the grounds of refusal including references to appropriate policies

10 41 – 47 WIMBLEDON HILL ROAD, WIMBLEDON, LONDON, SW19 7NA
(Agenda Item 10)

The Development Control Team Leader (North) presented the report

The Committee received a verbal representation from one objector who made points including:

- In regards to the location of the entrance, there was no CCTV and this would pose a safety issue for returning female guests
- Due to lack of security the Police had recommended an onsite concierge

- The Objector raised concerns on the access which would disturb local residents if guests arrive and depart 24 hours a day
- The Objector would like the development to have onsite security as this would prevent any illegal activities being carried out

The Applicant spoke in response and made points including

- That the current application follows a previous application smaller than the previous scheme in 2019, which has been changed due to the current climate for hotels
- The scheme has existing tenants, the developers are looking to work with other schemes such as Go native to produce a viable scheme
- Local residents welcomed the scheme as somewhere family members and friends could stay when visiting Wimbledon
- The access has been maintained and the old elements of the scheme stripped back
- The developers are looking to reinstate the building to be more viable and serving the local community

The Development Control Team Leader (North) addressed concerns by the Objectors points including:

- The Police commented on the scheme and recommended conditions which has been placed in the Planning report recommendations

The Planning Officer responded to Members questions

- The Planning Officer could not place conditions on the internal security of the building as it was an operational aspect
- Modern shop fronts windows would be put in place and conditions for safeguarding shopfront designs
- The Planning Officer did not have figures on employment the scheme would generate.

Members made comments on the application. Members commented on the front visual design proposed for the development which was a good improvement to the existing one Members appreciated the apartment style hotel and not guided by lobby front but to just access the apartments by themselves'

The Chair moved to the vote and it was

RESOLVED

That Planning permission was granted subject to conditions and Section 106 agreement.

11 PLANNING APPEAL DECISIONS (Agenda Item 11)

The Committee noted the report

12 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 12)

The Committee noted the report

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